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Attorneys for Plaintiff FINISAR CORPORATION

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

FINISAR CORPORATION, a Delaware  
corporation,

Plaintiff,

v.

U.S. BANK TRUST NATIONAL  
ASSOCIATION, a national banking  
association, not in its individual capacity,  
but solely in its capacity as Indenture  
Trustee in behalf of all Holders of Finisar  
Corporation's 5¼% Convertible  
Subordinated Notes due 2008, 2½%  
Convertible Senior Subordinated Notes due  
2010, and 2½% Convertible Subordinated  
Notes due 2010; and DOES 1 through 10,  
inclusive,

Defendants.

Case No. 5:07-CV-04052-HRL

**CERTIFICATION OF INTERESTED  
PARTIES OR PERSONS BY PLAINTIFF  
FINISAR CORPORATION PURSUANT  
TO FEDERAL RULES OF CIVIL  
PROCEDURE 7.1 AND CIVIL LOCAL  
RULE 3-16**

Magistrate Judge: Hon. Howard R. Lloyd

Complaint Filed: June 22, 2007

Trial Date Set: None Yet

**CERTIFICATION OF INTERESTED PARTIES OR  
PERSONS BY FINISAR CORPORATION PURSUANT  
TO FEDERAL RULES OF CIVIL PROCEDURE 7.1  
AND CIVIL LOCAL RULE 3-16**

CASE NO.: 5:07-CV-04052-HRL

Pursuant to Federal Rule of Civil Procedure 7.1, plaintiff Finisar Corporation (“Finisar”) states that it has no parent corporation and that no publicly held corporation owns ten percent (10%) or more of its stock.

Pursuant to Civil Local Rule 3-16, plaintiff Finisar Corporation certifies that the following persons, associations of persons, firms, partnerships, corporations, or entities other than the parties to the above-captioned action (the “Action”) may have either (i) a financial interest of some kind in the subject matter in controversy in, or in a party to, the Action; or (ii) some other kind of interest that could be substantially affected by the outcome of the Action:

- 1 OppenheimerFunds, Inc.
- 2 T. Rowe Price Associates, Inc.
- 3 Frank H. Levinson
- 4 VantagePoint Venture Partners
- 5 Penn Capital Management, Inc.
- 6 Vanguard Group, Inc.
- 7 Kopp Investment Advisors, LLC
- 8 Fidelity Management & Research (US)
- 9 Pioneer Investment Management, Inc.
- 10 Barclays Global Investors, NA
- 11 Dawson-Herman Capital Management Inc.
- 12 Ardsley Partners
- 13 Sand Hill Advisors, Inc.
- 14 6th Avenue Investment Management Company, LLC
- 15 Jerry S. Rawls
- 16 Longwood Investment Advisors, Inc.
- 17 GLG Partners, LP
- 18 Emerald Advisers, Inc.
- 19 Hunter Hall Investment Management Ltd.
- 20 Schroder Investment Management North America Inc.
- 21 RiverSource Investments, LLC
- 22 College Retirement Equities Fund
- 23 State Street Global Advisors (US)
- 24 Dimensional Fund Advisors, Inc.
- 25 Pequot Capital Management, Inc.
- 26 Peconic Partners, LLC
- 27 Bear Stearns Asset Management, Inc.
- 28 Mayo Investment Advisers, LLC
- 29 NorthPointe Capital, LLC
- 30 Swedbank Robur AB
- 31 033 Asset Management, LLC

1.

**CERTIFICATION OF INTERESTED PARTIES OR  
PERSONS BY FINISAR CORPORATION PURSUANT  
TO FEDERAL RULES OF CIVIL PROCEDURE 7.1  
AND CIVIL LOCAL RULE 3-16**

1	32	Delaware Investments
2	33	J.P. Morgan Investment Management Inc. (New York)
3	34	Deutsche Asset Management Americas
4	35	New Generation Advisors, Inc.
5	36	Northern Trust Investments, NA
6	37	California Public Employees' Retirement System
7	38	Sun Life Assurance Company of Canada (Toronto)
8	39	Black River Asset Management, LLC
9	40	Placemark Investments, Inc.
10	41	Washington Capital Management, Inc.
11	42	Cavalry Asset Management LP
12	43	RCM Capital Management LLC
13	44	JDS Capital Management, Inc.
14	45	Pennsylvania Public School Employees Retirement System
15	46	JPMorgan Investment Advisors Inc.
16	47	D.E. Shaw & Co., LP
17	48	Bodri Capital Management
18	49	Mellon Private Wealth Management
19	50	Teachers Insurance & Annuity Association
20	51	BlackRock Investment Management, LLC
21	52	Markston International, LLC
22	53	EagleRock Capital Management
23	54	Stephen K. Workman
24	55	Robeco Investment Management Inc. (WPG)
25	56	Marshall Wace, LLP
26	57	Credit Suisse Securities (USA) LLC
27	58	Citi Investment Research (US)
28	59	Northern Trust Global Investments
	60	Thomas Weisel Asset Management
	61	Kenwood Capital Management, LLC
	62	S.A.C. Capital Management, LLC
	63	Geode Capital Management, LLC
	64	Mercantile-Safe Deposit and Trust Company
	65	JPMorgan Private Bank (United States)
	66	Florida State Board of Administration
	67	Ohio Public Employees Retirement System
	68	NorthStar Capital Funds, LLC
	69	Polar Capital Partners Ltd.
	70	UBS Securities LLC
	71	Credit Suisse Asset Management, LLC (US)
	72	Goldman Sachs Asset Management (US)
	73	NWD Investments
	74	DWS Investment GmbH
	75	Van Wagoner Capital Management, Inc.
	76	SunTrust Bank
	77	AllianceBernstein LP
	78	Ridgecrest Investment Management, LLC

2.

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AND CIVIL LOCAL RULE 3-16**

1	79	Goldman Sachs & Company, Inc.
	80	AIG Global Investment Group, Inc.
2	81	BNL Gestioni SGR S.p.A.
	82	HBK Investments, LP
3	83	Millennium Management, LLC
	84	RhumbLine Advisers Corp.
4	85	Boston Financial Management, Inc.
	86	Suffolk Capital Management, LLC
5	87	Morgan Stanley & Co. Inc.
	88	Tradeworx Inc.
6	89	James D. Marver
	90	Metropolitan Life Insurance Co. (US)
7	91	Public Employees' Retirement Association of CO
	92	Kentucky Retirement Systems
8	93	Empire Financial Group
	94	William Blair & Company, LLC
9	95	Teleos Asset Management, LLC
10	96	Firsthand Capital Management, Inc.
	97	MFC Global Investment Management
11	98	AIM Trimark Investments
	99	Banque et Caisse d'Epargne de l'Etat Luxembourg
12	100	ProFund Advisors LLC
	101	Piper Jaffray & Co.
13	102	Alexandra Global Master Fund Ltd
	103	Whitebox Diversified Conv. Arb Partners LP
14		c/o Trident Trust
15	104	Needham Emerging Growth Partners, LP
	105	Eugene V. Thaw Revocable Trust
16	106	Bonny Israeloff Irrevocable Trust
	107	Robert L. Israeloff Irrevocable Trust
17	108	Morton Seaman
	109	Irwin W. Silverberg IRA
18	110	Stanley Kaplan IRA
	111	Delaware Charter Guarantee & Trust
19	112	Suzanne Chase
	113	Female Care Assoc. PA Professional Sharing Trust
20	114	Benetar Bernstein Schair & Ste. Employee Pension Plan & Trust
	115	James W. Armour Jr.
21	116	Frederic Quitkin
	117	Herbert R. Kameon Living Trust
22	118	Hall Family Trust
	119	Joe and Truly Daniel Revocable Trust
23	120	Colby & Gale Inc Profit Sharing Plan
	121	Dr. Alfred G. Dickerson IRA
24	122	M R Johnson Family Trust
	123	Esther Nugent IRA
25	124	Dianne Gozonsky IRA
26		
27		
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1	125	Benetar Bernstein Schair and
		Stein Employee Profit Sharing Plan & Trust
2	126	Elliott H. Solomon IRA
	127	Hugh J. Helfenstain Recovable Trust
3	128	Donald Lewis Davies and
		Nancy Nairn Davies Revocable Living Trust
4	129	David Dannenbring & Barbara Dannenbring
	130	John Fisher & Iris Fisher
5	131	Thomas Weisel Partners LLC
	132	Acadia Trust
6	133	Todd A. Grossmann PSP
	134	Stephen W. Broberg and Deidre Broberg
7	135	Elizabeth P. Hicks IRA
	136	H. Christina Guy
8	137	G E Johnson Family Living Trust
	138	Judith Polcer & Edward Polcer
9	139	Jean D. Thurston
10	140	Janet Danner McKinney
	141	Eric C. Clark
11	142	Alan E. Stallings Jr. MD
	143	Frederick E. Taber MD
12	144	Craig I LP
	145	Barbara Marie LA Viletta
13	146	Alan E. Freeland
	147	St. Matthews Episcopal Church
14	148	Trinity Episcopal Church
	149	Episcopal Diocese of Mississippi Gray Center
15	150	George A. Callaway
	151	Thomas H. Krocak
16	152	Paula Tietz IRA
	153	The Beltram Family Trust
17	154	Lynn Perkins Trust
	155	Dale Wilson Special Need Trust
18	156	Henry & Jeanette Mok Revocable Trust
	157	Episcopal Diocese of Mississippi John Maury Allin Diocesan House
19	158	Martha Drilling
	159	W.H. Merrell Jr. MD
20	160	Russell E. Thompson and Betty A. Thompson
	161	Arlyn J. McCombs Pershing LLC
21	162	Lydia S. Rosner IRA
	163	Susan H.E. Maurtiz
22	164	Gary C. Hendrickson
	165	Mary M. Fisher & Larry M. Fisher
23	166	Loretta Davis IRA
	167	Joyce L. Beene
24	168	Margaret T. Ward
	169	Robert L. Riggs

4.

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170 Leighann Redding  
171 Janice C. Brown Revocable Trust  
172 Thomas C. Brooks & Krisztina M. Brooks  
173 Lynn Anne Ishizaka & Robert T. Ishizaka Community Property  
174 National Financial Services  
175 F Europe LTD fbo O'Connor  
176 CS Sec Eur LTD  
177 Palisade Capital  
178 DB Securities Service NJ Wachovia National Bank  
179 Man Mac 1, Ltd  
180 DB AG Equity Swaps Offshore Consolidated  
181 International Monetary Fund  
182 Fortissimo Fund c/o Symphony Asset  
183 US Rapid  
184 A G Edwards & Sons  
185 First Trust & Company

DATED: August 16, 2007

Respectfully submitted,

Sterling A. Brennan  
WORKMAN NYDEGGER A PROFESSIONAL CORPORATION

Caroline McIntyre  
BERGESON, LLP

By /s/ Sterling A. Brennan  
Sterling A. Brennan  
Attorneys for Plaintiff FINISAR CORPORATION

5.

**CERTIFICATION OF INTERESTED PARTIES OR  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: D. Anthony Rodriguez, [drodriguez@mofo.com](mailto:drodriguez@mofo.com); Abby E. Wilkinson, [awilkinson@faegre.com](mailto:awilkinson@faegre.com); Eva Krisztina Schueller, [eschueller@mofo.com](mailto:eschueller@mofo.com); Michael B. Fisco, [mfisco@faegre.com](mailto:mfisco@faegre.com); Paul T. Friedman, [pfriedman@mofo.com](mailto:pfriedman@mofo.com).

**WORKMAN NYDEGGER**

/s/ Sterling A. Brennan

STERLING A. BRENNAN

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6.

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